

Tom Horne  
Superintendent

# N.E.W.S

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## ARIZONA DEPARTMENT OF EDUCATION

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### **HORNE FILES MOTION TO PUT ENGLISH LANGUAGE LEARNER FINES INTO A SEPARATE FUND TO BENEFIT ENGLISH LANGUAGE LEARNERS BUT DELAY SPECIFYING THE METHOD TO ENSURE DOLLARS ARE SPENT IN ACCORDANCE WITH COURT REQUIREMENTS**

(PHOENIX, January 26, 2006) – State schools superintendent Tom Horne today filed a motion in federal district court asking the judge in the “Flores” English language learner case to direct the fines assessed against the state to a separate account to be used only after a solution is submitted to the court.

“I agree that the fine should be used to benefit English language learners,” Horne said. “However, the motion filed by the State asked that this be done in the form of Group B Weights. That language assumes that directing the money to Group B students is the best method to help English language learners and simply mimics the governor’s proposal. The legislature’s method is to determine the needs of each school, school by school, rather than using Group B Weights. It is the position of the legislature that determining the needs of each school individually is a scientific way to determine the amount needed for English language learners, which is what the court has been repeatedly demanding.”

“In addition I have appealed this court’s order imposing fines. Therefore, accumulating these funds preserves the status quo until the outcome of the appeal is decided,” he added.

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